

REFERENCES IN TEXT

Section 467d of this title, referred to in text, was omitted from the Code.

AMENDMENTS

1992—Pub. L. 102-580 substituted “1994” for “1992”.

§ 467m. Inspection funds not to be used for repair or construction

No funds authorized in this subchapter shall be used to construct or repair any Federal or non-Federal dam.

(Pub. L. 92-367, §14, as added Pub. L. 99-662, title XII, §1201(b), Nov. 17, 1986, 100 Stat. 4263.)

§ 467n. Recovery of dam modification costs required for safety purposes

(a) After November 17, 1986, costs incurred in the modification by the Secretary of dams and related facilities constructed or operated by the Secretary, the cause of which results from new hydrologic or seismic data or changes in state-of-the-art design or construction criteria deemed necessary for safety purposes, shall be recovered in accordance with the provisions in this subsection:

(1) Fifteen percent of the modification costs shall be assigned to project purposes in accordance with the cost allocation in effect for the project at the time the work is initiated. Non-Federal interests shall share the costs assigned to each purpose in accord with the cost sharing in effect at the time of initial project construction: *Provided*, That the Secretary of the Interior shall recover costs assigned to irrigation in accordance with repayment provisions of Public Law 98-404.

(2) Repayment under this subsection, with the exception of costs assigned to irrigation, may be made, with interest, over a period of not more than thirty years from the date of completion of the work. The interest rate used shall be determined by the Secretary of the Treasury, taking into consideration average market yields on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the applicable reimbursable period during the month preceding the fiscal year in which the costs are incurred, plus a premium of one-eighth of one percentage point for transaction costs. To the extent that more than one interest rate is determined pursuant to the preceding sentence, the Secretary of the Treasury shall establish an interest rate at the weighted average of the rates so determined.

(b) Nothing in this section affects the authority of the Secretary to perform work pursuant to Public Law 84-99, as amended (33 U.S.C. 701n) or cost sharing for such work.

(Pub. L. 99-662, title XII, §1203, Nov. 17, 1986, 100 Stat. 4263.)

REFERENCES IN TEXT

Public Law 98-404, referred to in subsec. (a)(1), is Pub. L. 98-404, Aug. 28, 1984, 98 Stat. 1481, known as The Reclamation Safety of Dams Act Amendments of 1984, which amended sections 508 and 509 of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title of 1984 Amendment note set out under section 506 of Title 43 and Tables.

Public Law 84-99, referred to in subsec. (b), is act June 28, 1955, ch. 194, 69 Stat. 186, which amended section 701n of this title.

CODIFICATION

Section was enacted as part of the Dam Safety Act of 1986, and also as part of the Water Resources Development Act of 1986, and not as part of Pub. L. 92-367 which comprises this subchapter.

DEFINITIONS

Secretary means the Secretary of the Army, see section 2201 of this title.

CHAPTER 10—ANCHORAGE GROUNDS AND HARBOR REGULATIONS GENERALLY

Sec.	
471.	Establishment by Secretary of Transportation of anchorage grounds and regulations generally.
472.	Marking anchorage grounds by Commandant of the Coast Guard.
473.	Repealed.
474.	Anchorage and general regulations for St. Marys River.
475.	Regulations for Pearl Harbor, Hawaii.
476.	Restrictions on tanker traffic in Puget Sound and adjacent waters.

§ 471. Establishment by Secretary of Transportation of anchorage grounds and regulations generally

The Secretary of Transportation is authorized, empowered, and directed to define and establish anchorage grounds for vessels in all harbors, rivers, bays, and other navigable waters of the United States whenever it is manifest to the said Secretary that the maritime or commercial interests of the United States require such anchorage grounds for safe navigation and the establishment of such anchorage grounds shall have been recommended by the Chief of Engineers, and to adopt suitable rules and regulations in relation thereto; and such rules and regulations shall be enforced by the Coast Guard under the direction of the Secretary of Transportation: *Provided*, That at ports or places where there is no Coast Guard vessel available such rules and regulations may be enforced by the Chief of Engineers under the direction of the Secretary of Transportation. In the event of the violation of any such rules and regulations by the owner, master, or person in charge of any vessel, such owner, master, or person in charge of such vessel shall be liable to a penalty of \$100; and the said vessel may be holden for the payment of such penalty, and may be seized and proceeded against summarily by libel for the recovery of the same in any United States district court for the district within which such vessel may be and in the name of the officer designated by the Secretary of Transportation.

(Mar. 4, 1915, ch. 142, §7, 38 Stat. 1053; Aug. 4, 1949, ch. 393, §§1, 20, 63 Stat. 496, 561; Oct. 15, 1966, Pub. L. 89-670, §6(b)(1), 80 Stat. 938; Jan. 12, 1983, Pub. L. 97-449, §2(d)(1), 96 Stat. 2440.)

CODIFICATION

Section was from the Rivers and Harbors Appropriation Act of 1915.

PRIOR PROVISIONS

Section probably supersedes acts May 16, 1888, ch. 257, §§1, 2, 25 Stat. 151, relative to anchorage grounds in